

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

MUSIC CHOICE,

*Plaintiff,*

v.

STINGRAY DIGITAL INC. (f/k/a  
STINGRAY DIGITAL GROUP INC.)  
and STINGRAY MUSIC USA, INC.,

*Defendants.*

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Case No. 2:16-CV-00586-JRG-RSP


**ORDER**

The Magistrate Judge previously entered his Report and Recommendation (“Report”) (Dkt. No. 271), which recommended denial of Defendants Stingray Digital Inc. (f/k/a/ Stingray Digital Group Inc.) and Stingray Music USA, Inc.’s (“Defendants”) Motion for Summary Judgment of Estoppel as to Claims 10 and 15 of U.S. Patent No. 9,357,245 (“Motion”). (Dkt. No. 193). Defendants have now filed an Objection to that Report. (Dkt. No. 286).

After *de novo* consideration of the briefing on Defendants’ Motion, the Report, and Defendants’ Objection to the Report, the Court concludes that the objections are without sufficient merit. For that reason and the other reasons stated within the Report, the Court agrees with the conclusion reached within the Report. The Magistrate Judge’s Recommendation is therefore **ADOPTED**.

**So Ordered this**

**Nov 15, 2019**

  
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RODNEY GILSTRAP  
UNITED STATES DISTRICT JUDGE